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REQUEST FOR INCLUSION OF AN ADDITIONAL ITEM IN THE AGENDA OF THE FIFTY-SECOND SESSION

ADMISSION OF THE INTERNATIONAL SEABED AUTHORITY TO MEMBERSHIP IN THE UNITED NATIONS JOINT STAFF PENSION FUND

Letter dated 18 September 1997 from the Permanent Representative of Jamaica to the United Nations addressed to the President of the General Assembly

In accordance with rule 15 of the rules of procedure of the General Assembly, I have the honour to request the inclusion on the agenda of the fifty-second session of the General Assembly of an additional item of an urgent and important character, entitled "Admission of the International Seabed Authority to membership in the United Nations Joint Staff Pension Fund".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is attached to the present letter (annex).

(Signed) M. Patricia DURRANT
Ambassador
Permanent Representative

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ANNEX

Explanatory memorandum

The International Seabed Authority ("the Authority") is an autonomous international organization established under the 1982 United Nations Convention on the Law of the Sea ("the Convention"). The seat of the Authority is in Jamaica. Pending the adoption of its own financial regulations and staff regulations, the Authority is applying, mutatis mutandis, the financial regulations and staff regulations of the United Nations.

At its second session, in August 1996, the Assembly of the Authority decided that it would be in the interest of the Authority to become a member of the United Nations Joint Staff Pension Fund (UNJSPF), and requested the Secretary-General of the Authority to take the necessary steps in order to apply for membership in the Fund.[a]

According to the Regulations of UNJSPF, membership in the Fund is open to the specialized agencies referred to in Article 57, paragraph 2 of the Charter of the United Nations and to any other international intergovernmental organization that participates in the common system of salaries, allowances and other conditions of service of the United Nations.[b]

In accordance with the request of the Assembly, the Secretary-General of the Authority wrote to the Secretary of UNJSPF on 27 August 1996 formally applying, on behalf of the Authority, for membership in UNJSPF. In the same letter, the Secretary-General also informed the Secretary of UNJSPF that the staff regulations for the Authority would be fully compatible with the United Nations common system of salaries and allowances and that the Authority was ready to accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the Regulations of the Fund.

In this regard, it should be noted that article 11, paragraph 3, of the relationship agreement between the United Nations and the International Seabed Authority provides that, pursuant to the decision of the Assembly of the Authority, and upon the approval of the General Assembly of the United Nations, the Authority shall participate in the Fund in accordance with the Regulations of the Fund and shall accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of those Regulations. The relationship agreement, which was signed on 14 March 1997 by the Secretary-General of the United Nations and the Secretary-General of the Authority, was approved by the Assembly of the Authority at its 45th meeting, on 27 March 1997,[c] and is to be considered by the General Assembly at its fifty-second session.

The application by the Authority was considered by the Standing Committee of the UNJSPF Board at its 180th meeting, in July 1997. The Standing Committee agreed to recommend the admission of the International Seabed Authority to membership in the Fund with effect from 1 January 1998 on the understanding that

the Authority adhered to the United Nations common system of salaries and allowances as required by the UNJSPF Regulations.[d]

In the light of the affirmative recommendation by the Standing Committee of the UNJSPF Board regarding the application by the International Seabed Authority, it is proposed that the General Assembly of the United Nations admit the International Seabed Authority to membership in UNJSPF, subject to acceptance by the Authority of the Regulations of the Fund and the conclusion of an agreement between the Authority and the Board of UNJSPF as to the conditions which shall govern its admission.

Notes

[a] ISBA/A/15.

[b] UNJSPF Regulations, article 3 (b).

[c] ISBA/3/A/3.

[d] JSPB/180/R.28, 2 July 1997, item 12.